



MEETING MINUTES

BOARD OF SUPERVISORS, COUNTY OF MONO

STATE OF CALIFORNIA

Regular Meetings: The First, Second,
and Third Tuesday of each month

REGULAR MEETING

County Courthouse
Bridgeport, California 93517

March 18, 2008

9:00 a.m.

Meeting Called to Order by Vice Chairman Reid

Chairwoman Bauer was absent due to her attendance at a meeting out of the County.

Pledge of Allegiance led by Supervisor Farnetti

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

BOARD MEMBER REPORTS

Supervisor Reid reported on the following issues and activities:

1. Attended the Mono Basin RPAC meeting on the 12th. (1) Chris Lizza is working with people from Yosemite to designate the highway from Groveland to Lee Vining as an All American Scenic Highway. (2) The RPAC and housing committee are happy with the Housing Authority's recent action. (3) Discussed possible locations for the two bus shelters in Lee Vining. (4) People are concerned about landscaping and irrigation around the Lee Vining community center; they don't want the County to pave over areas designated for landscaping. Kelly Garcia will respond to the concerns.
2. Met with Jodi Henning; she is considering filing papers to run for assessor.
3. Last Friday attended the Walker Basin Stakeholders Group in Hawthorne. Committees are working on Harry Reid's project to bring more water to Walker Lake; there will be a meeting in Bridgeport to discuss this issue. In August, the committees will provide initial reports; final reports are due in December. The acquisition team has signed one option for two years, but all the options will have to go through the Nevada State engineer and water master.
4. Picked up a copy of the local paper in Hawthorne; several articles talk about opposition to wilderness areas. May attend the next meeting in April to get more information.
5. Will travel to Sacramento this afternoon to attend the RCRC meeting tomorrow.
6. On Thursday will attend a meeting in Walker at the Senior Center.
7. Will be attending a meeting at Lee Vining High School regarding the softball field.

Supervisor Hunt reported on the following issues and activities:

1. Attended the Eastern Sierra Council of Governments last week. Discussed the High Sierra Energy Foundation project; will keep the Board informed. The next meeting is on June 13th.

2. Attended the ESTA meeting. The new executive director has been hired; the salary will be \$96,000 per year. He is a very experienced person. The contract with the interim director has been extended through April 30th; the new director will start on April 1st.
3. Attended Jeff Irons' memorial service.
4. Yesterday attended the Great Basin Air Pollution Control District meeting (reported on by Supervisor Hazard). The Air Pollution Control District will become a monitoring organization, which will result in changes at the administrative level.
5. Attended the Sierra Nevada Conservancy meeting in Bass Lake. (1) Toured the Oakhurst area and saw conservation opportunities. (2) Raised the topic of going through a good public process when reviewing applications. (3) The Conservancy is working to make sure all the jurisdictions affected by an application are notified. (4) The Mammoth Lakes Fire District has submitted a fire suppression application. (5) Approximately \$170,000 remains in the strategic opportunity grant, and \$6 million remains in the competitive grants. (6) The June meeting will be held in Lassen County. The October meeting will be held in Mammoth Lakes in conjunction with the Sierra Business Council; the Conservancy will consider preliminary work on next year's applications. (7) Outlined various grants awarded in Inyo and Mono Counties; the community based land tenure planning was a big award (\$145,000-\$150,000) and will help with land tenure planning.

Supervisor Hazard reported on the following issues and activities:

1. Attended the COG meeting on the 14th; was appointed Chair. Had a discussion about broad band internet; four different counties have been invited to attend a meeting. Also approved a joint letter on wilderness issues involving local jurisdictions and federal agencies. A letter is being directed to the PUC overlay of the 760 area code; asking to maintain the 760 area code.
2. Held office hours in Chalfant on the 14th; a few constituents stopped in.
3. Yesterday attended the Great Basin Unified Air Pollution Control District meeting. Tentatively approved the 2008 budget. The means to evaluate the director will be revisited at a special meeting in April.
4. Held office hours in Crowley Lake; nothing to report.
5. The Governor approved disaster funding on January 10th for severe storm and flooding that occurred in Mono County.

Supervisor Farnetti reported on the following issues and activities:

1. Attended the management meeting last Wednesday. The following issues were discussed: (1) Social services and emergency shelters; currently looking for a shelter manager in Crowley Lake. (2) The Finance Director is requesting department heads to submit fee changes for the upcoming budget, and is requesting advance planning on future capital projects. (3) Community Development reported that Intrawest (rodeo grounds) will be doing additional studies on water and impact to County services. (4) David Wilbrecht talked about employee retention, new hires, and setting up goals and processes for new staff regarding the County's organizational culture.
2. Attended a meeting on Thursday with several people to discuss issues at the transfer stations and landfills. Itemized tasks to be completed, and specified completion dates. In April a letter to DWP asking them to take action on some issues, including issues with the state, will come before the Board for consideration.
3. Attended the memorial service for Jeff Irons at Crowley Lake Community Center; it was a nice turnout. People from many organizations were present; Jeff left a nice legacy in terms of projects he had worked on.

Chairwoman Bauer reported on the following issues and activities:

1. No report; Chairwoman Bauer was absent.

COUNTY ADMINISTRATIVE OFFICE

- 1) CAO Report regarding Board Assignments (**David Wilbrecht**)
ACTION: Receive brief oral report by County Administrative Officer (CAO) regarding his activities.
David Wilbrecht reported on the following issues and activities:
1. Attended the management meeting last week; the group is functioning well and moving in the desired direction.
 2. Regarding the implementation of the new agenda software, the Agenda Review Committee may revise the schedule due to recent changes in the Clerk's Office.
 3. Continuing to meet with IMAAA; making progress and will brief the Board in April.
 4. Met with Town representatives yesterday regarding the AOC purchase. Will bring this information to the Board soon.
 5. Will be out of town this coming Thursday and Friday. Brian Muir will attend the Town-County Liaison meeting.

- 2) **APPROVAL OF MINUTES**
Regular meeting of March 4, 2008.
M08-051 (*Hunt/Hazard, 4-0; Bauer absent*)

CLOSED SESSION

Closed Session: 9:03 a.m.—9:50 a.m.

Break: 9:50 a.m.—10:00 a.m.

Reconvened: 10:00 a.m.

- 3) CONFERENCE WITH LABOR NEGOTIATORS. Government Code section 54957.6. Agency designated representatives: Marshall Rudolph, Dave Wilbrecht, Bob Garret, and Brian Muir. Employee organization: Mono County Sheriff's Officers Association (aka Deputy Sheriffs Association).
- 4) CONFERENCE WITH LABOR NEGOTIATORS. Government Code section 54957.6. Agency designated representatives: David Wilbrecht, Marshall Rudolph, Robert Garret, Lynda Roberts, and Brian Muir. Unrepresented Employees: Renn Nolan.

The Board had nothing to report from closed session.

DEPARTMENT REPORTS/EMERGING ISSUES

Clay Neely reported on the following:

1. The IT Department has set up projectors in the Board Room for use by people giving presentations. Also, as part of the new video conference system, the sound system in the Board Room will be upgraded.

Marshall Rudolph reported on the following:

1. Following up on a Board direction from last week regarding affordable housing on DWP

land, there is not a precedent for this type of use but DWP will consider the question. DWP has requested more information so they can evaluate the concept; the request would then go through their process for consideration.

2. Regarding affordable housing on Conway Ranch land, Dan Lyster will take the lead and contact the Trust for Public Land.

Brian Muir reported on the following:

1. Update about changes in the municipal credit market that affect disclosure. If the County was going to go into debt, they would buy bond insurance to get a triple A rating. There are only two organizations that provide a triple A rating, and they will only insure general obligation bonds (voter approved debt). It is important to do the necessary work to keep the County's credit rating high, especially if bond insurance is no longer available.

Kelly Garcia reported on the following:

1. Regarding June Lake Community Center, Public Works is resolving an issue regarding storage closets and is also working on a ramp design to address the need for handicap access. Public Works is also gathering information about needs at other community centers. Community Development will put a note on their future meeting agendas to explain how people can request assistance.

CONSENT AGENDA

(All matters on the consent agenda are to be approved in one motion unless a board member requests separate action on a specific item)

Marshall Rudolph, County Counsel, asked the Board to designate the Vice Chair to sign documents approved at today's meeting.

COMMUNITY DEVELOPMENT

- 5) Appointment of Janelle Mills to the Bridgeport Valley Regional Planning Advisory Committee
- M08-052 ACTION:** Appoint Janelle Mills to fill a vacancy on the Bridgeport Valley Regional Planning Advisory Committee as recommended by Supervisor Reid.
(Hunt/Farnetti, 4-0; Bauer absent)

COUNTY COUNSEL

- 6) Resolution regarding Certificate of Acceptance
- R08-16 ACTION:** Adopt **Resolution R08-16** authorizing the County Administrator to sign a certificate of acceptance for a deed conveying certain real property to the County, and to take such other actions as may be necessary to close escrow. *Note: This transaction involves certain property in the Walker area of the County (APN: 02-361-12), the purchase of which was already approved by the Board on January 22 2008.*
(Hunt/Farnetti, 4-0; Bauer absent)

COUNTY COUNSEL AND ASSESSOR

- 7) Amendment to Agreement for Special Counsel (Brett Price)
M08-053 **ACTION:** Approve County entry into Second Amendment to Agreement for Services of Special Counsel (Brett L. Price and the law firm of Kronick Moskowitz Tiedemann & Girard) and authorize the Board Chair to sign said agreement on behalf of the County. *Note: Under this agreement, Mr. Price provides services to the Assessor's Office related to property tax assessment appeals and litigation. (Hunt/Farnetti, 4-0; Bauer absent)*

REGULAR AGENDA

CORRESPONDENCE RECEIVED (INFORMATIONAL)

All items listed are available for review and are located in the Office of the Clerk of the Board

#	Received	Dated	From	Subject
8a)	3-5-08	2-19-08	Linda Arcularius, Chairperson, Inyo County Board of Supervisors, to Mike Pevi, Chairman, California Public Utilities Commission; cc: Mono County Board of Supervisors	Inyo County on record with the Public Utilities Commission opposing the overlay of the 760 area code
8b)	3-11-08	3-10-08	Al Heinrich to Mono County Board of Supervisors	Official Survey—June Lake, Clark Tract Roads
8c)	3-11-08	3-01-08	Cary L. Williams to Mono County Board of Supervisors	Lease No. 57-84M8-3-0030, Bridgeport Helibase Land

8b) Supervisor Farnetti asked to have this letter referred to the appropriate department. Marshall Rudolph said his office and Public Works have been following up.

Vice Chair Reid acknowledged receipt of the correspondence.

COUNTY ADMINISTRATIVE OFFICE—HUMAN RESOURCES

- 9) Resolution Approving Employment Contract with Renn Nolan (**Robert Garret**)
R08-17 **ACTION:** Adopt **Resolution R08-17** approving an employment agreement with Renn Nolan through December 31, 2008, and prescribing the compensation, appointment, and conditions of said employment. Receive staff report. *(Note: Ms. Nolan will be employed to serve as Clerk to the Board of Supervisors and provide*

election support in the County Clerk/Recorder/ Registrar/Clerk of the Board Office on an “as-needed” basis.)
(Hazard/Hunt, 4-0; Bauer absent)

Robert Garret: The Assistant County Clerk-Recorder resigned about two weeks ago, and since this is an election year, Renn Nolan is a tremendous asset. She will work on an as-needed basis and can provide help in a variety of ways, including attending Board meetings and assist with the election process. This position is approximately an FTS IV level. Garret asked the Board to support this contract so the Clerk's Office can get the needed assistance.

Supervisor Farnetti said the contract specifies two years; Supervisor Hazard suggested that since this is an emergency situation, the contract period be through December 31, 2008, to assist with the election process and help while the County recruits for a new Assistant Clerk. Garret suggested that the Board approve the contract with this amendment.

Break: 10:25 a.m.—10:30 a.m.
Reconvened: 10:30 a.m.

PUBLIC WORKS

- 10) Bid Opening for Sierra Center Mall Tenant Improvements **(Kelly Garcia)**
M08-054 ACTION: Refer bid schedules to Public Works Director for review and tabulation.
(Hazard/Hunt, 4-0; Bauer absent)

Kelly Garcia: This project was brought before the Board last month for approval to advertise for bids; there has been a lot of interest in the project. Garcia explained a new bid process—the blind tabulation process—which separates the bid schedule from identifying information. After bids are tabulated, the envelopes identifying contractors will then be opened. This process provides more flexibility with additive alternates and awards bids within state law. The Board Clerk opened the bid schedules and Garcia read the amounts.

FINANCE AND ASSESSOR

- 11) Resolution Adopting Property Tax Exemption for Property with Low Value **(Brian Muir, Bob Musil, and Mark Magit)**
R08-18 ACTION: (1) Adopt **Resolution R08-18** that provides for an exemption for real and personal property, including vessels, with a value of less than \$1,000 from property taxation. (2) Repeal Resolution R06-122.
(Hunt/Farnetti, 4-0; Bauer absent)

Brian Muir: The Revenue and Taxation Code allows the Board to exempt property with a base value of \$5,000 or less, if the cost to collect taxes exceeds the amount of the tax. The Assessor's Office has determined that \$1,000 is a reasonable amount to exempt, which equates to a \$10 tax bill; it costs about \$5 to process a tax bill. The amount collected from these low value properties would be about \$5,800, so the loss in revenue is minimal, and not processing these tax bills will allow more time to work on other bills and collection efforts. Muir said this impacts some very small parcels and many timeshares fall within this range.

BOARD OF SUPERVISORS

- 12a)** Recognizing April as Sexual Assault Awareness Month (**Lisa Reel, Wild Iris Executive Director, and Lourdes Gonzales, Clinical Director**)

M08-055 **ACTION:** Approve proclamation designating the month of April 2008 as Sexual Assault Awareness Month in Mono County.
(Hunt/Hazard, 4-0; Bauer absent)

Chris Baker and Lourdes Gonzales, Wild Iris, thanked the Board for their support in proclaiming April Sexual Assault Awareness Month. Sexual violence is an intolerable public health problem that affects everyone, and Wild Iris has several programs to address this problem. Baker announced various upcoming public events planned for April. Lourdes said April is also recognized as Child Abuse Prevention Month.

The Board thanked Baker and Gonzales for coming and acknowledged Wild Iris as a valuable asset in the community.

- 12b)** Recognizing April as Child Abuse Prevention Month (**Lisa Reel, Wild Iris Executive Director, and Lourdes Gonzales, Clinical Director**)

M08-056 **ACTION:** Approve proclamation designating the month of April 2008 as Child Abuse Prevention Month.
(Hazard/Farnetti, 4-0; Bauer absent)

Lourdes Gonzales: Over the years the agency has become more family oriented. Community involvement helps make a difference.

- 12c)** Letter of Support for Swall Meadows Fuel Reduction Program Grant Application (**Supervisor Hazard**)

M08-057 **ACTION:** Approve letter of support for Swall Meadows Fuel Reduction Program Grant Application.
(Hazard/Hunt, 4-0; Bauer absent)

Supervisor Hazard: This request came from the community asking for support in obtaining funding for a fuels reduction program. Hazard has also provided a letter of support as the district supervisor. Even though the north end of the County is struck by fire more often, the Swall Meadows area would have the biggest loss of homes, so they are well aware of the fire threat. Supervisor Farnetti asked to agendize a letter of support for Mammoth's grant request.

ELECTIONS OFFICE

- 13)** Statement of Votes, February 5, 2008, Presidential Primary Election (**Lynda Roberts**)

M08-058 **ACTION:** Receive and approve as correct the Statement of Votes cast in the Presidential Primary Election held February 5, 2008, and declare elected those offices under their jurisdiction for this election, and declare passed or failed those measures under their jurisdiction for this election, according to the number of votes

for each as shown on the Statement of Votes.
(Hunt/Hazard, 4-0; Bauer absent)

Lynda Roberts: This information has been sent to the Secretary of State's office as required. The action today is for Board approval of the statement of votes.

COUNTY ADMINISTRATION AND PUBLIC DEFENDERS

- 14) Contract Amendment for Compensation Adjustments **(David Wilbrecht and Marshall Rudolph)**
M08-059 **ACTION:** Approve the amendment regarding proposed changes to the Public Defenders contract affecting an annual contracted increase equal to legal services provided by the County including District Attorney and County Counsel.
(Hazard/Farnetti, 4-0; Bauer absent)

David Wilbrecht: The County contracts for public defender services, and a cost effective way to make salary adjustments is to use the 23-county survey. Today's action is requesting an adjustment based on the current contract. In the future, the County may use the RFP process to obtain services.

Supervisor Farnetti asked about the annual cost; Brian Muir said the budget is about \$480,000 per year. Supervisor Reid asked if the money for the increase had been allocated. Wilbrecht said 5% was allocated so there will be an increment required to pay the difference. Reid said he would like to know what other rural counties do (whether they contract for these services or provide them in house). Wilbrecht will bring this issue back to the Board for direction about how to proceed in the future. The Board supported the amendment and said the public defenders are doing a good job; periodically, however, the County should go through the RFP process to determine if there are other parties interested in providing this service.

PUBLIC WORKS

- 15) Bid Summary for Sierra Center Mall Tenant Improvements **(Kelly Garcia)**
M08-060 **ACTION:** Approve tabulation of blind bid schedules received earlier in the day for Sierra Center Mall Tenant Improvements. Refer proposals to Public Works director for review and recommendation.
(Farnetti/Hunt, 4-0; Bauer absent)

Kelly Garcia distributed a copy of the bid tabulation; the apparent low bid is \$645,300. The Board Clerk opened the identifying bid packet, and Garcia read the names of the companies associated with the bids. The low bid appeared to be from Rasp Construction Company in Bishop. Other bidders included Desert Ranger from Rancho Mirage, California, Rudolph Construction Company from Bishop, and Neubauer-Jennison from Mammoth. Garcia will bring a recommendation for the contract award to the Board later in the meeting.

~ LUNCH RECESS ~

Break: 11:50 a.m.—1:00 p.m.

Reconvened: 1:00 p.m.

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

ECONOMIC DEVELOPMENT & SPECIAL PROJECTS

- 16a)** Approval of \$2,000 Disbursement to Eastern Sierra Wildlife Care (**Dan Lyster**)
M08-061 **ACTION:** Approve disbursement of \$2,000 to Eastern Sierra Wildlife Care for reimbursement of expenses for FY 2007-2008 from the Fish and Game Fine Fund.
(*Hunt/Farnetti, 4-0; Bauer absent*)

Dan Lyster: The Fisheries Commission discussed this annual request at their last meeting, and voted unanimously to approve the request. The balance remaining in the fund is about \$31,000. This expenditure is for food, supplies, and medicine for the animals, including raptors, coyotes, and deer.

- 16b)** Appointment of Robert Dunn to the Mono County Fisheries Commission (**Dan Lyster**)
M08-062 **ACTION:** Appoint Robert Dunn to the Mono County Fisheries Commission to fill the existing vacancy created by the resignation of Robert Hudson, which term will expire in April 2011.
(*Farnetti/Hunt, 4-0; Bauer absent*)

Dan Lyster: Spoke with Mr. Dunn on the phone, and he is engaged and very interested in the Eastern Sierra. Dunn was not able to attend today's meeting, but if the Board desires, he can come to another meeting. There were no other applicants from the Walker/Coleville area.

Supervisor Reid: Mr. Dunn has very good credentials.

- 16c)** Discussion with MCFC Representative regarding Communication with CDFG (**Dan Lyster and Skip Baker**)
ACTION: Receive information from Mono County Fisheries Commission (MCFC) regarding protocol for dissemination of information from California Department of Fish & Game (CDFG) to Mono County.

Skip Baker: The Mono County Fisheries Commission (MCFC) is an advisory group for the Board of Supervisors. As a result of the January 15th joint meeting with the Town, at which Bruce Kinney from CDFG spoke, the MCFC would like to have more direct communication with the CDFG and be better informed so they can best perform their advisory role and assist the Board with issues. The Fisheries Commission will address this at the joint Town-County meeting in April when Bruce Kinney will again be making a presentation. It would also be helpful to receive direction from the Board of Supervisors if CDFG makes direct presentations to the Board.

Baker also urged the Board to approve upcoming funding requests to fund the Trout Stock Tournament and Trout Stock University (\$10,000 each). He provided information about the economic impact of Trout Stock. It was a successful event and the commission is seeking corporate sponsorships; this event is getting a lot of recognition. This event needs to go countywide in order to accommodate the number of participants. The ultimate goal is for the commission to become self sufficient; Baker will make a presentation on April 8th.

Supervisor Hunt supported the Fisheries Commission's direct dealing with the Department of Fish & Game. Supervisor Hazard said the meeting in January was a result of the need to get information directly and immediately into the public arena; the intent was to get the information as early as possible so plans could be made for the season. Baker suggested that after direct briefings from Kinney, the commission review the information so they can make recommendations before the Board makes decisions. Supervisor Farnetti said in January Kinney outlined goals that could be affected by the state's budget, and Mono County taxpayers should not be expected to subsidize shortfalls within the Fish & Game program.

Dan Lyster will come to the Board on April 8th requesting to reimburse funds expended by the Town of Mammoth Lakes for the Trout Stock Tournament, which was a countywide event. He will also address the need for \$10,000 for next year's tournament.

Brian Muir: During budget time, the Board decided not to approve the programs and made the funding part of the reserve to be reconsidered. Supervisor Hazard reiterated that he does not want the County to subsidize the state's fish stocking program; he wants to put resources into County fishing programs.

Baker: The Fisheries Commission shares the long-term goal of becoming self sufficient, but they need to expend funds now in order to compete with lakes in other areas. Hazard would like to hear from the commission and the business community about progress.

PUBLIC WORKS

- 17a)** Bid Advertisement for Mountain Gate Fishing Access Phase 1 (**Kelly Garcia**)
M08-063 **ACTION:** Adopt and approve plans and specifications for Phase 1 of Mountain Gate Fishing Access. Approve and authorize the Clerk of the Board, in consultation with the Department of Public Works, to advertise for bids. Approve and authorize the Director of Public Works to process and execute appropriate construction documents during the bid process.
(Farnetti/Hunt, 4-0; Bauer absent)

Kelly Garcia: This request is for authorization to go to bid for the first phase of Mountain Gate Fishing Access, to be funded with a CDBG grant; \$85,715 would be used for construction costs.

- 17b)** Payment to Aircon Energy for Technical Energy Study (**Kelly Garcia**)
M08-064 **ACTION:** Authorize payment of \$29,676.78 to Aircon Energy for the Technical Energy Study from the Capital Improvement funds allocated to the Energy Upgrade project.
(Hazard/Farnetti, 4-0; Bauer absent)

Kelly Garcia: This item is a request to make payment to Aircon for the technical study they have

performed to date; Aircon is interested in doing the upgrade project. The County wasn't ready to enter into an agreement until larger budget items could be considered as a whole. Depending on the capital facilities study, boilers in the Courthouse and Memorial Hall may be replaced before implementation of the rest of the study. The independent reviewer indicated that Aircon's proposal for the three most expensive projects is in line.

The Board directed staff to bring back the five top projects for consideration. Wilbrecht will bring a prioritized list to the Board in April to consider the five top projects, including costs.

17c)

M08-065

Bid Award for Sierra Center Mall Tenant Improvements (Kelly Garcia)

ACTION: (1) Acknowledge receipt of proposals earlier in the day and, based upon review and recommendation by the Public Works Department, award the contract to RASP Construction as the lowest responsible bidder. (2) Approve and authorize the Public Works Director (in consultation with County Counsel) to finalize and administer a contract with RASP Construction for the Sierra Center Mall Tenant Improvements, in an amount not to exceed \$645,300. This authorization shall include making minor amendments to said contract from time to time as the Public Works Director may deem necessary, provided such amendments do not substantially alter the scope of work or budget and are approved as to form by County Counsel.

(Hunt/Hazard, 4-0; Bauer absent)

Kelly Garcia distributed the final bid tabulation. Based on the check list used to verify contractors' information, RASP Construction is determined to be the lowest responsible bidder. Pete Mokler, architect involved in the plans, is aware of this company and feels comfortable with them. The total allocated for construction is \$770,000.

Regarding furniture, David Wilbrecht said the DA's office has funding for new furniture, and the furnishings and work stations in the CAO's current office will be used. There may some furnishing needs on the third floor, although this should not be a large expense. There may be some carpeting needs.

ADJOURN: 2:25 p.m.

The Mono County Board of Supervisors will meet in regular session on **April 1, 2008**, at the hour of 9:00 a.m. in the Board Chambers, County Courthouse, Bridgeport, California.

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